



ANDERSON LARSON HANSON AND SAUNDERS
A T T O R N E Y S A T L A W
Professional Limited Liability Partnership

Reply to Willmar

October 12, 2004

★♦ L. WAYNE LARSON

GREGORY R. ANDERSON

★ RODNEY C. HANSON

JON C. SAUNDERS

TIMOTHY J. SIMONSON

ANTONIO TEJEDA

★ RONALD C. ANDERSON

Retired

To interested parties in the Bankruptcy of Alberto Moreno and Adriana Moreno:

Re: Case Number: 04-44680
Our File: 13657

Please be advised that the hearing on confirmation of the Amended Chapter 13 Plan will take place as follows:

Date: 10/21/04 Time: 10:00 a.m. Location: Courtroom 8 West
US Bankruptcy Court
US Courthouse Courtroom 8 West
300 S 4th St
Minneapolis, MN 55415

WILLMAR

331 Southwest Third Street

PO Box 130

Willmar, Minnesota 56201

Phone: 320.235.4313

Fax: 320.235.8180

A copy of the Amended Chapter 13 Plan is enclosed.

Very truly yours,

ANDERSON LARSON HANSON & SAUNDERS PLLP

Gregory R. Anderson
ganderson@willmarlaw.com

BIRD ISLAND

145 South Main Street

PO Box G

Bird Island, Minnesota 55310

Phone: 320.365.4868

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GRA/jlb

Enclosure

♦ MSBA Board Certified
Civil Trial Specialist

★ Qualified neutral under
Rule 114 of the Minnesota
General Rules of Practice

**United States Bankruptcy Court
District of Minnesota**

IN RE:

Alberto Moreno & Adriana Moreno

Debtor(s)

Case No. **04-44680**

Chapter **13**

AMENDED CHAPTER 13 PLAN

Dated: **October 12, 2004**

1. PAYMENTS BY DEBTOR -

- a. As of the date of this plan, the debtor has paid the trustee \$ **0.00**.
- b. After the date of this plan, the debtor will pay the trustee \$ **1,016.00** per **month** for **36** months, beginning within 30 days after the filing of this plan for a total of \$ **36,576.00**.
- c. The debtor will also pay the trustee: **n/a**
- d. The debtor will pay the trustee a total of \$ **36,576.00** [line 1(a) + line 1(b) + line 1(c)].

- 2. PAYMENTS BY TRUSTEE -** The trustee will make payments only to creditors for which proofs of claim have been filed, make payments monthly as available, and collect the trustee's percentage fee of 10% for a total of \$ **3,657.60** [line 1(d) x .10] or such lesser percentage as may be fixed by the Attorney General. For purposes of this plan, month one (1) is the month following the month in which the debtor makes the debtor's first payment. Unless ordered otherwise, the trustee will not make any payments until the plan is confirmed. Payments will accumulate and be paid following confirmation.

- 3. PRIORITY CLAIMS -** The trustee shall pay in full all claims entitled to priority under ' 507, including the following. The amounts listed are estimates only. The trustee will pay the amounts actually allowed.

<i>Creditor</i>	<i>Estimated Claim</i>	<i>Monthly Beginning Payment</i>	<i>in mo. #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
Gregory R. Anderson	200.00	<u>100.00</u>	1	<u>2</u>	200.00
TOTAL					<u>200.00</u>

- 4. LONG-TERM SECURED CLAIMS NOT IN DEFAULT -** The following creditors have secured claims. Payments are current and the debtor will continue to make all payments which come due after the date the petition was filed directly to the creditors. The creditors will retain their liens.

H & L Motors

- 5. HOME MORTGAGES IN DEFAULT [' 1322(b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on claims secured only by a security interest in real property that is the debtor's principal residence as follows. The debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Beginning Payment</i>	<i>in mo. #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
USDA	3,054.00	763.50	1	4	3,054.00
TOTAL					<u>3,054.00</u>

- 6. OTHER LONG-TERM SECURED CLAIMS IN DEFAULT [' 1322 (b)(5)] -** The trustee will cure defaults (plus interest at the rate of 8 per cent per annum) on other claims as follows and the debtor will maintain the regular payments which come due after the date the petition was filed. The creditors will retain their liens. The amounts of default are estimates only. The trustee will pay the actual amounts of default.

<i>Creditor</i>	<i>Amount of Default</i>	<i>Monthly Beginning Payment</i>	<i>in mo. #</i>	<i>Number of Payments</i>	<i>TOTAL PAYMENTS</i>
None					
TOTAL					<u>0.00</u>

- 7. OTHER SECURED CLAIMS [' 1325(a)(5)] -** The trustee will make payments to the following secured creditors having a value as of confirmation equal to the allowed amount of the creditor's secured claim using a discount rate of 8 percent. The creditor's allowed secured claim shall be the creditor's allowed claim or the value of the creditor's interest in the debtor's property, whichever is less. The creditors shall retain their liens. NOTE: NOTWITHSTANDING A CREDITOR'S PROOF OF CLAIM FILED BEFORE OR AFTER CONFIRMATION, THE AMOUNT LISTED IN THIS PARAGRAPH AS A CREDITOR'S

SECURED CLAIM BINDS THE CREDITOR PURSUANT TO 11 U.S.C. ' 1327 AND CONFIRMATION OF THE PLAN WILL BE CONSIDERED A DETERMINATION OF THE CREDITOR'S ALLOWED SECURED CLAIM UNDER 11 U.S.C. ' 506(a).

Creditor	Claim Amount	Secured Claim	Monthly Beginning Payment	in mo. #	Number of Payments	TOTAL PAYMENTS
None						
TOTAL						0.00

8. **SEPARATE CLASS OF UNSECURED CREDITORS** - In addition to the class of unsecured creditors specified in & 9, there shall be a separate class of nonpriority unsecured creditors described as follows:

- The debtor estimates that the total claims in this class are \$ 0.00.
- The trustee will pay this class \$ 0.00.

9. **TIMELY FILED UNSECURED CREDITORS** - The trustee will pay holders of nonpriority unsecured claims for which proofs of claim were timely filed the balance of all payments received by the trustee and not paid under & 2, 3, 5, 6, 7 and 8 their pro rata share of approximately \$ 29,664.40 [line 1(d) minus paragraphs 2, 3, 5, 6, 7 and 8].

- The debtor estimates that the total unsecured claims held by creditors listed in & 7 are \$ 0.00.
- The debtor estimates that the debtor's total unsecured claims (excluding those in & 7 and & 8) are 36,802.43.
- Total estimated unsecured claims are \$ 36,802.43 [line 9(a) + line 9(b)].

10. **TARDILY-FILED UNSECURED CREDITORS** - All money paid by the debtor to the trustee under & 1, but not distributed by the trustee under & 2, 3, 5, 6, 7, 8 or 9 shall be paid to holders of nonpriority unsecured claims for which proofs of claim were tardily filed.

11. **OTHER PROVISIONS** - None

12. **SUMMARY OF PAYMENTS C**

Trustee's Fee [Paragraph 2]	3,657.60
Priority Claims [Paragraph 3]	200.00
Home Mortgage Defaults [Paragraph 5]	3,054.00
Long-Term Debt Defaults [Paragraph 6]	0.00
Other Secured Claims [Paragraph 7]	0.00
Separate Class [Paragraph 8]	0.00
Unsecured Creditors [Paragraph 9]	29,664.40
TOTAL [must equal Paragraph 1, Line (d)]	36,576.00

Insert Name, Address, Telephone and License Number of Debtor's Attorney:

Gregory R. Anderson 18651x
Gregory R. Anderson
Anderson Larson Hanson & Saunders PLLP
331 Third Street SW
Willmar, MN 56201
(320) 235-4313

Signed: _____
DEBTOR

Signed: _____
DEBTOR (if joint case)

United States Bankruptcy Court
District of Minnesota

IN RE:

Case No. 04-44680

Alberto Moreno & Adriana Moreno

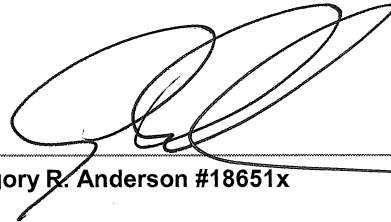
Debtor(s)

Chapter 13

CERTIFICATE OF MAILING

The undersigned hereby certifies that a true copy of the following document(s):
Amended Chapter 13 Plan and Notice of Confirmation Hearing

was(were) mailed to all persons in interest at the addresses set forth in the exhibit which is attached hereto, by first class mail, postage prepaid, on this 12th day of October, 2004.



Gregory R. Anderson #18651x

Gregory R. Anderson
Anderson Larson Hanson & Saunders PLLP
331 Third Street SW
Willmar, MN 56201
(320) 235-4313

Michael J. Farrell
PO Box 519
Barnesville, MN 56514

United States Trustee
1015 US Courthouse
300 South Fourth Street
Minneapolis, MN 55415

John A. Hedback
Hedback, Arendt & Carlson, PLLC
Suite 201 Anthony Place
2855 Anthony Lane So.
St. Anthony, MN 55418

United States Bankruptcy Court
District of Minnesota

IN RE:

Case No. 04-44680

Alberto Moreno & Adriana Moreno

Debtor(s)

Chapter 13

SIGNATURE DECLARATION

☐ PETITION, SCHEDULES & STATEMENTS

☐ CHAPTER 13 PLAN

☐ SCHEDULES & STATEMENTS ACCOMPANYING VERIFIED CONVERSION

☒ AMENDMENT TO PETITION, SCHEDULES & STATEMENTS

☒ MODIFIED CHAPTER 13 PLAN

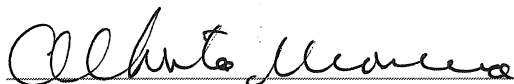
☐ OTHER (Please describe) _____

I [We], the undersigned debtor(s) or authorized representative of the debtor, ***make the following declarations under penalty of perjury:***

- The information I have given my attorney and provided in the electronically filed petition, statements, schedules, amendments, and/or chapter 13 plan, as indicated above, is true and correct;
- The information provided in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case is true and correct;
- **[individual debtors only]** If no Social Security Number is included in the "Debtor Information Pages" submitted as a part of the electronic commencement of the above-referenced case, it is because I do not have a Social Security Number;
- I consent to my attorney electronically filing with United States Bankruptcy Court my petition, statements and schedules, amendments, and/or chapter 13 plan, as indicated above, together with a scanned image of this Signature Declaration and the completed "Debtor Information Pages," if applicable; and
- **[corporate and partnership debtors only]** I have been authorized to file this petition on behalf of the debtor.

Date: 10/12/04

X

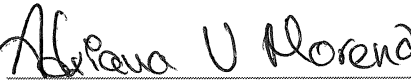


Signature of Debtor or Authorized Representative

Alberto Moreno

Printed Name of Debtor or Authorized Representative

X



Signature of Joint Debtor

Adriana Moreno

Printed Name of Joint Debtor